UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,286	05/25/2001	Tetsujiro Kondo	450100-03242	4616

20999	7590	02/06/2006

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER
RYMAN, DANIEL J

ART UNIT	PAPER NUMBER
2665	

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/866,286	KONDO ET AL.
	Examiner	Art Unit
	Daniel J. Ryman	2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>09 January 2006</u>.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-8</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-8</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date <u>1/9/06</u>.

4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-8 have been considered but are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitot et al.

(USPN 6,519,655), of record, in view of Kurdzo et al. (USPN 5,469,434), of record, in further

view of Suzuki (USPN 5,140,584).

4.   Regarding claim 1, Pitot discloses a signal processing apparatus for receiving a signal

including a plurality of kinds of data (digital messages) (col. 2, lines 54-59), said signal

processing apparatus comprising: detecting means for detecting a type of each of a plurality of

kinds of data of said signal based on attached information (tag) of said data (col. 2, lines 17-25);

memory means (ref. 22) for storing each of said plurality of kinds of data to one of plural

memory areas (col. 5, line 62-col. 6, line 7) where it is implicit that a register comprises multiple

areas in which a message may be stored, which is evidenced by the processor reading register 26

to determine where the message is stored; processing means for processing one of a plurality of

functional operations corresponding to the type of data of said signal (col. 3, lines 7-17) read

from said memory at certain times (col. 5, line 62-col. 6, line 7); and changing means for

changing the operation of said processing means to one of said plurality of functional operations, corresponding to the type of data at the timing of the transit of said data (col. 2, line 50-col. 3, line 17 and col. 3, lines 50-65) where "corresponding" is a broad phrase which only necessitates that that the operation relates in some manner to the timing of the data. Here, the packet tag, which corresponds to the operation of the processor, also corresponds to the timing of the transit of the data since the tag is contained in the data.

Pitot does not expressly disclose that the signal is a time divisional multiplexed signal; however, Pitot does disclose that the system contains a digital bus which contains channels (col. 2, lines 50-53). Kurdzo teaches, in a digital bus system, that it is well known to transmit a time divisional multiplexed signal on a digital bus (col. 1, lines 21-40 and col. 2, lines 10-43). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to have the signal be a time divisional multiplexed signal since time divisional multiplexed signals are well known in the art.

Pitot in view of Kurdzo does not expressly disclose memory means for storing each of said plurality of kinds of data to one of plural memory areas according to the detected type. Suzuki teaches, in a time-divisional packet communication system (col. 1, lines 34-38), memory means for storing each of a plurality of kinds of data to one of plural memory areas according to the detected type in order to permit packet processing according to a priority scheme (col. 2, lines 47-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have memory means for storing each of said plurality of kinds of data to one of plural memory areas according to the detected type in order to permit the system to process packets according to a priority scheme.

5.   Regarding claim 2, Pitot in view of Kurdzo in further view of Suzuki discloses that said

processing means provides an output generated by said processing means to an input terminal of

a device (equipment on the bus) corresponding to each kind of the data of said time divisional

multiplexed signal (Pitot: col. 1, lines 18-32).

6.   Regarding claim 3, Pitot in view of Kurdzo in further view of Suzuki discloses that said

processing means comprises: first data-extracting means for extracting a plurality of data

(identification tag) as class data from said data (Pitot: col. 1, lines 45-58 and col. 2, lines 10-25);

characteristic signal output means for outputting a signal (descriptor's address) indicating

characteristics of said class data based on said class data (Pitot: col. 2, line 54-col. 3, line 17);

and generating means for generating output data based on the signal indicating the characteristics

(processed data) (Pitot: col. 2, line 54-col. 3, line 17).

7.   Regarding claim 4, Pitot in view of Kurdzo in further view of Suzuki discloses that said

processing means comprises: first data-extracting means for extracting a plurality of data

(identification tag) as class data from said data (Pitot: col. 1, lines 45-58 and col. 2, lines 10-25);

characteristic signal output means for outputting a signal (descriptor's address) indicating

characteristics of said class data based on said class data (Pitot: col. 2, line 54-col. 3, line 17);

second data-extracting means for extracting a plurality of data as generation data from said data

(data in message) (Pitot: col. 3, lines 6-17); storage means for storing coefficient information

(memory storing the instructions) corresponding to the signal indicating the characteristics (Pitot:

col. 2, line 54-col. 3, line 17); and generating means for generating output data by performing

computation using said generation data and said coefficient information (processed data) (Pitot:

col. 2, line 54-col. 3, line 17).

8.   Regarding claim 5, Pitot in view of Kurdzo in further view of Suzuki discloses that said

first data-extracting means extracts said class data based on class data forming information set in

accordance with an instruction from said changing means (Pitot: col. 2, line 54-col. 3, line 17)

where the location of the tag must be known by the processor in order for the processor to extract

the tag.

9.   Regarding claim 6, Pitot in view of Kurdzo in further view of Suzuki discloses that said

second data-extracting means extracts said generation data based on generation data forming

information set in accordance with an instruction from said changing means (processor) (Pitot:

col. 2, line 54-col. 3, line 17) where the location of the message data must be known by the

processor in order for the processor to extract the message data.

10.   Regarding claim 7, Pitot in view of Kurdzo in further view of Suzuki discloses that said

storage means stores said coefficient information (memory storing the instructions) according to

the type of said data (Pitot: col. 3, lines 7-17), and outputs coefficient information, corresponding

to the signal indicating the characteristics, from among said coefficient information

corresponding to an instruction from said changing means (Pitot: col. 2, line 54-col. 3, line 17).

11.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pitot et al. (USPN

6,519,655), of record, in view of Kurdzo et al. (USPN 5,469,434), of record, in further view of

Suzuki (USPN 5,140,584) as applied to claim 1 above, and further in view of Horton (USPN

5,969,770).

12.   Regarding claim 8, Pitot in view of Kurdzo in further view of Suzuki does not expressly

disclose that said plurality of function operations are noise and luminance adjusting. Horton

teaches, in a packet communication system, transporting luminance and noise information over a

packet network and then processing these packets to produce a television signal (col. 4, line 41-

col. 5, line 14). Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to have the plurality of function operations include noise and luminance

adjusting in order to permit the transmission of a television signal over a packet network.

Conclusion

13.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Daniel J. Ryman whose telephone number is (571)272-3152. The

examiner can normally be reached on Mon.-Fri. 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Huy Vu can be reached on (571)272-3155. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel J. Ryman
Examiner
Art Unit 2665

HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600